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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/052,801	10/29/2001	Richard D. Posner	23608-0701	3222
25235	7590	06/13/2006	EXAMINER	
HOGAN & HARTSON LLP ONE TABOR CENTER, SUITE 1500 1200 SEVENTEENTH ST DENVER, CO 80202			JAMAL, ALEXANDER	
			ART UNIT	PAPER NUMBER
			2614	
DATE MAILED: 06/13/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/052,801	POSNER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Alexander Jamal	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 07 April 2006.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) 15,20 and 21 is/are withdrawn from consideration.
- 5) Claim(s) 17-19 and 22 is/are allowed.
- 6) Claim(s) 1-14,16,23-33 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Response to Amendment***

1. Based upon the submitted amendment entered via RCE (4-7-2006), the examiner notes that claims 1,3,16,17,23,31,33 have been amended and claims 15,20,21 have been cancelled.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1,9-14, 16,23-30,33** are rejected under 35 U.S.C. 102(b) as being anticipated by Kim et al. (5877653).

As per **claim 1**, Kim discloses a feed-forward linear amplifier controlled by a differential spurious ratio (ABSTRACT). The amplifier comprises first monitoring point via receiver 232 (Fig. 2) coupled to a first loop and a second monitoring point (234) coupled to the amplifier output. The amplifier comprises control circuitry (comprised of units 235,236,237). The control circuitry comprises inputs coupled to the first and second monitoring points (via couplers/receivers 234,232), and control outputs used to control the amplifier (via ATT1,PIC1,ATT2,PIC2). The system further comprises frequency information (PCD) applied to the control unit (Col 6 lines 40-52). The control system controls the differential spurious ratio of the noise (spurious) to the signal level by

adjusting the phase and gain of each stage in the feed-forward amplifier. The system further acts to minimize the ratio of input noise (couplers/recievers 231,233 in Fig. 2) to output noise (coupler 234) by adjustment of the phase and gain of signals within the feed-forward amplifier. The spurious components are instantaneously and differentially read by the functions of subtractor 219 and coupler/receivers 233,234. Subtractor 219 provides a differential spurious reading from coupler/receiver points 216 and 218. The output is fed via coupler/receiver 233 to control unit 237 via ratio detector (235,236). Likewise, signal coupler/receiver 223 provides a differential comparison between the signal at point 218 and the output signal at point 223. The distortion term coupled in at point 223 will used to cancel any IM in the output signal from delay 215, as such the signal at point 234 is a difference signal (Col 19 line 40 to Col 20 line 8). The output is fed via coupler/receiver 234 to control unit 237. The device functions to reduce both the ratio of input IM to output IM (via the subtraction functions) and present state IM to previous state IM. The system comprises first and second receivers (couplers) as noted above, for receiving the monitored signals. Controller 237 is coupled to ratio detector 235,236. Ratio detector 235,236 comprises ratio detector inputs (via block 235) that are coupled to the first and second couplers (receivers). The ratio detector outputs to controller 237. The controller functions to reduce both the ratio of input IM to output IM (via the subtraction functions) and present state IM to previous state IM as per the claim 1 rejection.

As per **claims 23,33**, claims rejected as a method performed by the device of the claim 1 rejection. The spurious components are monitored via couplers/receivers 216,218 and 234 (Fig. 2), and the amplifier is controlled so that the phase and gain of the spurious channel and the main channel are aligned so that the ratio of the output spurious signal (detected via coupler 234) to the initially detected distortion signal (detected via coupler 233) is minimized (ie. the output distortion is suppressed) (Col 11 line 54 to Col 12 line 17). Examiner notes that the said ratios are controlled by feedback from the differentially monitored points as per the claim 1 rejection. Monitoring points 218,233,223,234,232 (Fig. 2) all monitor spurious components. The monitored points are instantaneously compared such that the control signal to controller 237 functions to control a coherent differential ratio control signal. Examiner notes that applicant uses the phrases 'instantaneously' and 'coherent'. As per applicant's specification (page 18 line 19 to page 19 line 5), applicant defines the 'instantaneous' ratios as being obtained by coupling samples of the desired signals. Coupling sampled of signals is a digital process and as such is inherently susceptible to a delay dependant upon the A/D converter and sampling rate (much like the sampling delay introduced by the signal selector 235 in Kim Fig. 2). In view of applicant's specification, examiner reads 'instantaneously' as functioning in real time and as such, the values obtained by the system of Kim function in real time and as such are 'instantaneously' computed/compared. Since the values are instantaneously compared, a coherent ratio is formed.

As per **claims 9, 10**, Kim discloses monitoring points 218,232,233 (Fig. 2).

As per **claims 11,12,14** claim rejected for same reasons as claim 17 rejection.

As per **claim 13**, Kim discloses vector modulation using Cartesian coordinates (either amplitude/frequency or (amplitude,frequency,phase)/time) (Col 13 lines 38-65).

As per **claim 16**, detector 236 comprises mixers 715,718 (Fig. 7) coupled to the first monitoring point (SF), bandpass filter 716, oscillator 714, and PCD (PLL) information 713.

As per **claims 24-30**, claims rejected as methods performed by the devices of the claim 1 and 17 rejections.

***Claim Rejections - 35 USC § 103***

**4.** The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**5.** **Claims 31,32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (5877653).

As per **claim 31**, Kim discloses claim 31 as per the claim 1 and claim 23 rejections. The system comprises coupler 233 (Fig. 2) and coupler 234. The system

additionally comprises coupler 232. The control unit functions to adjust the gain and phase of the predistortion and error loop signals such that the ratios of output distortion to the predistorter distortion and error loop distortion are minimized. However, Kim does not disclose using a monitoring point directly at the output of the predistortion unit.

The system uses a coupling point 218 directly at the output of the linear amplifier stage. Since the system iteratively acts to minimize the output distortion by varying the phase/gain of the signals within the amplifier loop, and since the gain and phase information from predistorter 213 will carry through to amplifier 214, it would have been obvious to one of ordinary skill in the art at the time of this application that the monitored signal could be coupled from either before or after the main power amplifier as a matter of design choice.

As per **claims 32**, the system further comprises couplers 218,232,233 coupled to phase gain adjusting circuits 220,221.

6. **Claims 2-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (5877653) as applied to claim 1 and further in view of applicant's admitted prior art in the specification (Page 12 lines 9-22).**

As per **claims 2-8**, Kim discloses applicant's claim 1. However, Kim does not disclose that the input signal frequency information is provided from one of the following: a bank of synthesizers coupled by one of an RS232, RS485, TCP/IP or I2C bus; an input signal preset; a scanning circuit.

Kim discloses using PCD data in order to recover RF signals information in the amplifier (Col 13 lines 40-50). Applicant's specification discloses that it is known that, in an RF phone, frequency information may be obtained via a control bus (conforming to a known standard), input signal presets, or a scanning circuit (SPECIFICATION Page 12 lines 9-22). It would have been obvious to one of ordinary skill in the art at the time of this application that the frequency information could be provided by any of the known methods of obtaining frequency information for the advantage that the feed-forward amplifier may be implemented to be compatible with existing RF phone interfaces (thus saving the cost of adding an additional interface).

***Allowable Subject Matter***

7. **Claims 17,18,19,22** are allowed over the prior art of record

***Response to Arguments***

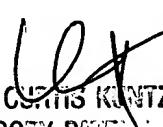
8. Applicant's arguments with respect to **claims 1-33** have been considered but are moot in view of the new ground(s) of rejection. However, examiner notes the following responses to applicant's arguments.

As per applicant's comments regarding the Kim reference not disclosing an instantaneous spurious ratio control system (remakrs pages 11,12,14,15), examiner notes

that the subtraction and canceling functions of subtractor 219 and coupler 223 provide an instantaneous differential spurious ratio control system as per the new claim 23 rejection above. Applicant's remarks page 12, 2<sup>nd</sup> paragraph states that the coupled signals must arrive at 'nearly' the same time in order to be instantaneous. Examiner reads 'nearly' as being functional in real time. Kim discloses a functional amplifier system that is able to functionally perform communications (Col 1 lines 15-30). As such the amplifier system delay is functionally minimized and any ratio calculations are functionally instantaneous and coherent. Examiner further notes that even a completely analog ratio detector circuit has a measurable amount of delay (such as the switching delay of transistors).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Jamal whose telephone number is 571-272-7498. The examiner can normally be reached on M-F 9AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A Kuntz can be reached on 571-272-7499. The fax phone numbers for the organization where this application or proceeding is assigned are **571-273-8300** for regular communications and **571-273-8300** for After Final communications.

  
CURTIS KUNTZ  
SUPERVISORY PATENT EXAMINER  
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AJ  
June 7, 2006